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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,877	08/06/2001	Wen-Tsang Liu	DF-00200	9754
28960	7590	03/17/2004	EXAMINER	
HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			SANTIAGO, MARICELI	
			ART UNIT	PAPER NUMBER
			2879	

DATE MAILED: 03/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/923,877	Applicant(s) LIU ET AL.	
	Examiner Mariceli Santiago	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The Amendment, filed on November 13, 2003, has been entered and acknowledged by the Examiner.

Claims 1-12 are pending in the instant application.

Specification

The abstract of the disclosure is objected to because of the following reason:

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Accordingly, deletion of the first sentence of the abstract is suggested. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa (US 5,461,279) in view of Winsor (US 6,075,320).

Regarding claims 1 and 9, Hasegawa discloses a cold cathode fluorescent flat lamp (Fig. 1), comprising an enclosure chamber sealed by two reciprocally parallel plates of glass (21 and 12) and containing a gas therein, an anode (14) and a cathode (14) disposed in the

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enclosure chamber, wherein the cathode is parallel to the anode, an auxiliary anode (18) disposed between the anode and the cathode and being parallel to the cathode, wherein the auxiliary anode (18) is attached to an outer surface of either of the plates of glass (12).

Hasegawa is silent in regards to the limitation of a printed circuit board having an anode, the cathode and the auxiliary anode thereon. However, in the same field of endeavor, Winsor discloses a cold cathode fluorescent flat lamp wherein the internal and external electrode components of the lamp are connected to printed circuit board bonded to the lower surface of the base plate in order to improve durability of the fluorescent lamp by minimizing protrusions (Column 6, lines 44-55). Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the printed circuit board assembly of Winsor in the cold cathode flat fluorescent lamp of Hasegawa in order to improve durability of the fluorescent lamp by minimizing protrusions.

Regarding claims 4 and 5, Hasegawa discloses a fluorescent lamp wherein the gas is selected from a group consisting of inert gas (argon), mercury gas and a mixing gas thereof (Column 2, lines 64-67).

Regarding claim 6, Hasegawa discloses a fluorescent lamp wherein a pressure of gas contained in the enclosure chamber is ranged from 3 to 200 torr (Column 3, line 1).

Regarding claim 8, Hasegawa discloses a fluorescent lamp further comprising a fluorescent substance (32) coated on each surface of the plates of glass (Column 2, lines 54-59).

Claims 2, 3, 7 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasegawa (US 5,461,279) in view of Winsor (US 6,075,320), and further in view of Yamano et al. (US 4,767,965).

Regarding claims 2, 3, 7 and 10-12, Hasegawa-Winsor fail to disclose the limitation of the anode and the cathode are made of nickel, and the auxiliary anode is made of a material selected from a group consisting of copper, nickel and aluminum. However, in the same field of endeavor, Yamano discloses a flat fluorescent lamp wherein the anode, the cathode and the auxiliary anode are made of nickel (Column 3, lines 10-28). It has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416. Thus, it would have been obvious to one having ordinary skills in the art at the time the invention was made to have the electrodes in the fluorescent lamp made of nickel, since the selection of known materials for a known purpose is within the skill of the art.

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's arguments that the Hasegawa reference fails to disclose an auxiliary electrode having an applied voltage, the Examiner respectfully disagree. Hasegawa discloses a fluorescent lamp further comprising an auxiliary electrode located between the anode and the cathode electrodes in order to facilitate initiation of discharge across the electrodes, thus, it is understood that at least an initial voltage is applied to the auxiliary electrode to facilitate the discharge.

Accordingly, it is the Examiner position that the auxiliary electrode taught by Hasegawa functions as an auxiliary anode.

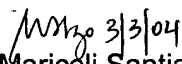
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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


Mariceli Santiago
Patent Examiner
Art Unit 2879